APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,429	02/27/2004	Sun-Dong Lee	0001580/2242USU	6998

58027 7590 12/29/2006		EXAMINER
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ART UNIT	PAPER NUMBER
2617	

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SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/29/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>19 October 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,2,4-14 and 18-26</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,2,4-14 and 18-26</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 7-05)   Office Action Summary   Part of Paper No./Mail Date 11252005.

DETAILED ACTION

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on October 17, 2006 has been entered.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making
> and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it
> pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode
> contemplated by the inventor of carrying out his invention.

Claims 1-2, 4-14 and 18-26 are rejected under 35 U.S.C. 112, first paragraph, as failing to

comply with the written description requirement. The claim(s) contains subject matter which

was not described in the specification in such a way as to reasonably convey to one skilled in the

relevant art that the inventor(s), at the time the application was filed, had possession of the

claimed invention. Independent claims 1, 8, 11 and 18 have been amended to contain new

matter. The phrase "real-time notification" has been added to independent claims 1, 8, 11 and 18

has not been described in the specification.

Further, in claim 20, the phrases "real-time notification" and "if a called subscriber has

logged in to an incoming messenger alarming service on the personal computer" have not been

described in the specification.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1-2, 4, 8-14, 18-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Nguyen (U.S. Pub. No. 2002/0111167 A1), in view of Troen-Krasnow et al (U.S. Patent No.

6,493,431 B1), and further in view of Bose et al (US 2002/0042830 A1).

Referring to claim 1, Nguyen discloses an incoming message alarming system (abstract),

comprising a wireless communication system for <u>transmitting</u> an incoming message <u>to</u> a <u>called</u>

mobile communication terminal, and <u>for</u> transmitting <u>a first notification message including an</u>

<u>identification of a calling mobile communication terminal</u> (paragraphs 7 and 8, "sending a data

waiting message from the application server to a message center (MC)"), and

a messenger service system for receiving the <u>first notification message</u> from the wireless

communication system and <u>for</u> sending <u>a second notification message, the second message for</u>

<u>providing notification of the incoming message</u> (paragraph 7-8, "message center", "notification",

"SMS", "Data Waiting Indicator", "the MC then sends a Short Message Service (SMS) message

containing a Data Waiting Indicator"),

<u>wherein the incoming message represents voice communications or data communications</u>

<u>(abstract, paragraphs 4, and 6-8, "voice call", "data").</u>

Nguyen does not specifically disclose sending messages to **a personal computer.**

In the same field of endeavor, Troen-Krasnow discloses <u>sending incoming message alarming information indicating arrival of the incoming message to a personal computer</u> (abstract, col. 1, line 60 through col. 2, line 2, and col. 5, lines 1-60, col. 6, lines 1-50, "server 180 then identifies the calling party based on the calling party's telephone number", "The notification message from the message server 180 may be an electronic mail (email) message transmitted to the called party's personal computer over a computer network", "called party may log onto the message server 180 via network 400 to retrieve the message").

It would have been obvious to one of the ordinary skills in the art at the time of invention to modify the system of Nguyen by incorporating the teachings of Troen-Krasnow, and consequently providing <u>sending incoming message notification to a personal computer of the called party,</u> for the purpose of allowing the called party to receive and retrieve call alarm notifications and messages while logged on to a personal computer, and thus providing convenience to the user.

The combination of Nguyen/Troen-Krasnow does not specifically disclose providing **real-time notification**.

Bose discloses real-time message notification in his application of real-time messaging system for providing a real-time alert notification (abstract, paragraphs 51, 111, and 119, "real-time messaging system to provide for a real-time alert notification").

It would have been obvious to one of the ordinary skills in the art at the time of invention to modify the system of Nguyen/Troen-Krasnow by incorporating the teachings of Bose, and providing a real-time alert notification, for the purpose of letting the users know of any messages in real-time so that time sensitive messages, urgent, and emergency messages are processed in

real time and consequently preventing potential problems that could arise from non-real-time

notifications.

Referring to claims 8, 11 and 18, claims 8, 11 and 18 define a wireless communication

system, a messenger service system, and a method for alarming an incoming message reciting

features analogous to the message alarming system defined by claim 1 (as rejected above). Thus, the

combinations of Nguyen/Troen-Krasnow/Bose disclose all elements of claims 8, 11 and 18 (please

see the rejection of claim 1 above).

Referring to claim 2, the combinations of Nguyen/Troen-Krasnow/Bose disclose the

incoming message alarming system of claim 1, and further disclose the wireless communication

system comprises a base station for receiving the incoming message, a mobile switching center

for transmitting the first notification message to the messenger service system, and a home

location register for storing location information of a called subscriber, subscriber information

representing whether or not the called subscriber is an incoming message alarming service

subscriber, and flag information indicating an activation state of the incoming message alarming

service (Nguyen, figure 1-2, and paragraphs 8-10, and 21-27, 31 and 33, "BS-1", "BS-2", "MSC-

1", "MSC-2", "HLR", note that the subscriber is informed of the messages, hence a flag is

inherently indicating the activation state of the incoming call, "notification", "SMS", "Data

Waiting Indicator"). "HLR", note that the HLR inherently comprises the database where the

database has IP information about the subscribers in its domain).

Referring to claim 23, the combinations of Nguyen/Troen-Krasnow/Bose disclose the

incoming message alarming system of claim 1, and further disclose the messenger service system

comprises a messenger information database for storing an IP address and a messenger ID of a

called subscriber corresponding to the called mobile communication terminal (Troen-Krasnow,

Figures 1-5, col. 4, lines 29-41, col. 5,line 1-65, col. 6, lines 1-47, "the message server 180

receives the telephone call and reads the original called number, such as he Dialed Number

Identification Service . . to identify the called party (step 315), "the message server 180 sends a

notification to the called party . . . to the called party's personal computer", "network 400 may

include an Internet", note the called party is identified according the number that was dialed, thus

a messenger information database exists and stores the a messenger ID of the called party.

Further, a message notification is sent to the called party's personal computer and through the

Internet, hence it is inherent that IP address of the called party is found and used so that the

notification message is sent to the called party's computer. Hence, it is inherent that messenger

information database exists for storing IP address and a messenger ID of the called subscriber);

and a messenger server for receiving the first notification message from the wireless

communication system and for sending the second notification message, wherein the personal

computer corresponds to the IP address (Troen-Krasnow, Figures 1-5, col. 4, lines 29-41, col.

5,line 1-65, col. 6, lines 1-47, note that a message notification is sent to the called party's

personal computer and through the Internet, hence it is inherent a messenger server exits for

receiving the base alarm information from the wireless communication system and sending the

incoming message alarming information to the personal computer according to the IP address).

It would have been obvious to one of the ordinary skills in the art at the time of invention

to modify the system of Nguyen by incorporating the teachings of Troen-Krasnow, and

consequently providing the messenger service system to comprise a messenger information

database for storing an IP address and a messenger ID of the called subscriber and a messenger

server for receiving the base alarm information from the wireless communication system and

sending the incoming message alarming information to the personal computer according to the

IP address for the system of Nguyen, motivation being for the purpose of identifying the called

party accurately through the Internet and sending notification via user's computer, and allowing

the called party to receive and retrieve notifications and messages while logged on to a personal

computer, and providing convenience to the user.

Referring to claim 4, the combinations of Nguyen/Troen-Krasnow/Bose disclose the

incoming message alarming system of claim 23, and further disclose the messenger server stores

use information or whether to use an incoming message service alarming service in the

messenger information database (Nguyen, figures 1-2, and paragraphs 8-10, and 21-23).

Referring to claims 9 and 14, the combination of Nguyen/Troen-Krasnow/Bose discloses

the wireless communication system and the messenger service system of claims 8 and 11, and

further disclose information in the first notification message is or the second notification

message comprises an identification of the called mobile communication terminal and an

identifications of a calling mobile communication terminal (see the rejection of claim 1).

Referring to claim 10, the combination of Nguyen/Troen-Krasnow/Bose disclose the

wireless communication system of claim 8, and further disclose the mobile switching center

stores the first notification message (Nguyen, figures 1-2, and paragraphs 21-23).

Referring claim 12, the combination of Nguyen/Troen-Krasnow/Bose disclose the

messenger service system of claim 11, and further disclose the second notificatio message is

transmitted through the internet to the personal computer (Troen-Krasnow, col. 1, line 60

through col. 2, line 2, and col. 5, lines 1-60, col. 6, lines 1-50).

It would have been obvious to one of the ordinary skills in the art at the time of invention

to modify the system of Nguyen by incorporating the teachings of Troen-Krasnow, motivation

being for the purpose of allowing the called party to receive and retrieve notifications and

messages while logged on to a personal computer, and providing convenience to the user.

Referring to claim 13, the combination of Nguyen/Troen-Krasnow/Bose discloses the

messenger service system of claim 11, and further disclose the messenger server stores the

second notification message (Nguyen, paragraphs 7-10, and 21-23).

Referring to claim 19, the combination of Nguyen/Troen-Krasnow/Bose disclose the

method of claim 18, and further disclose the step of transmitting a first notification message

further comprises receiving the incoming message from a calling mobile communication

terminal; and determining an activation state of an incoming message alarming service (Nguyen,

paragraphs 7-10, and 21-24).

Referring to claim 21, the combination of Nguyen/Troen-Krasnow/Bose discloses the

method of claim 19, and further disclose the step of transmitting a first notification message

further comprises storing the first notification message (see rejection of claim 1).

Referring to claim 22, the combination of Nguyen/Troen-Krasnow/Bose discloses the

method of claim 20, and further disclose storing the second notification message (Nguyen,

paragraphs 7-10, and 21-23).

Referring to claim 24, the combinations of Nguyen/Troen-Krasnow/Bose disclose the

system of claim 11 and further disclose the messenger server includes messenger server database

(Nguyen, figures 1-4, col. 7-10, 16-19 and 21-24).

Referring to claims 25 and 26, the combinations of Nguyen/Troen-Krasnow/Bose

disclose the systems of claims 9 and 14, and further disclose the first notification message or the

second notification message comprises a data message (Nguyen, abstract, paragraphs 7 and 8,

rejection of claim 1)

5.   Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen (U.S.

Pub. No. 2002/0111167 A1), in view of Troen-Krasnow et al (U.S. Patent No. 6,493,431 B1),

further in view of Bose et al (US 2002/0042830 A1), and still further in view of Best (U.S. Pub.

No. 2005/0097142 A1).

Referring to claim 5, the combinations of Nguyen/Troen-Krasnow/Bose disclose the

incoming message alarming system of claim 4.

The combinations of Nguyen/Troen-Krasnow/Bose do not disclose flag information is

updated by the use information.

Best teaches a method and apparatus for increasing efficiency of data storage, where a

flag is updated to show user data has been inlined (paragraph 44).

It would have been obvious to one of the ordinary skill in the art at the time of the

invention to incorporate the teachings of Best into that of Nguyen/Troen-Krasnow/Bose and

consequently providing flag information stored in the wireless communication system and

indicating an activation state of the incoming alarming service for the purpose of providing

automatic switching capabilities and thereby allowing automatic indication of messenger states.

Referring to claim 6, the combinations of Nguyen/Troen-Krasnow/Bose/Best disclose the

alarming system of claim 5, and further disclose the messenger server transmits the second

notification message to the personal computer when the incoming message alarming service has

been activated (Nguyen, figures 1-2, and paragraphs 8-10, and 21-23, Troen-Krasnow, col. 1,

line 60 through col. 2, line 2, and col. 5, lines 1-60, col. 6, lines 1-50)

Referring to claim 7, the combination of Nguyen/Troen-Krasnow/Bose/Best disclose the

incoming message alarming system of claim 5, and further disclose the messenger server stores

the second notification message when the incoming message alarming system has is not

activated (Nguyen, figures 1-2, and paragraphs 21-23).

Response to Arguments

6.   Applicant's arguments with respect to claims 22 have been considered but are moot in

view of the new ground(s) of rejection.

Conclusion

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Fred A. Casca whose telephone number is (571) 272-7918. The

examiner can normally be reached on Monday through Friday from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Lester Kincaid, can be reached at (571) 272-7922. The fax phone number for the

organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LESTER G. KINCAID
SUPERVISORY PRIMARY EXAMINER